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PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts

HOME DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 29th May, 2025

BHARATIYA NAGARIK SURAKSHA SANHITA, 2023.

No.GG/85/2025/SB.5/BNS/102024/GoI-15: - In exercise of the powers conferred by sub-section (2) of Section 176 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023) in its application to the State of Gujarat, the Government of Gujarat hereby makes the following rules, namely: -

1. Short title, extent and commencement. –

- (1) These rules may be called the Gujarat Submission of Report in Exceptional Cases (BNSS Section 176(2)) Rules, 2025.
- (2) They shall extend to the whole of the State of Gujarat.
- (3) They shall come into force on the date of their publication in the *Official Gazette*.

2. Definitions. -

- (1) In these rules, unless the context otherwise requires, -
 - (a) “Daily Diary” means the record maintained by a police officer as specified under in section 192 of the Sanhita;
 - (b) “Informant” means a person who has reported an offence to the police, including a complainant or victim;
 - (c) “officer-in-charge of a police station” means police officer as defined in section 2(1)(r) of the Sanhita;
 - (d) “Sanhita” means the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).
- (2) All other words and expressions used and not defined in these rules but defined in the Sanhita shall have the meanings respectively assigned to them in the Sanhita.

3. Report on non-initiation of investigation. -

- (1) When the officer-in-charge of a police station found that the case is not of a serious nature as provided in clause (a) of the proviso to sub-section (1) of section 176, he need not proceed in person or depute a subordinate officer to initiate an investigation on the spot and in such cases, he shall record the specific reasons in writing in the register in the format specified in Form I.
- (2) The officer-in-charge of a police station shall maintain a register in the police station in the format specified in Form II in such cases where there are no sufficient grounds to initiate an investigation under clause (b) of the proviso to sub-section (1) of section 176.

4. Fortnightly Daily Diary Report. -

- (1) The officer-in-charge of a police station shall submit a fortnightly report of the Daily Diary to the concerned Magistrate, covering all cases recorded under section 176(2).
- (2) Such report shall be prepared in the format specified in Form III.
- (3) The report shall include the following details, -
 - (a) number of cases recorded during the fortnight;
 - (b) details of cases where investigation was not initiated, along with reasons.
 - (c) details of the mode of communication through which the informant was informed etc.
- (4) If the officer-in-charge of a police station decides not to initiate an investigation under clause (b) of the proviso to sub-section (1) of section 176, he shall record the specific reasons for such decision in writing and submit a fortnightly report of the Daily Diary to the concerned Magistrate in the format specified in Form IV.

5. Notification to Informant. -

- (1) If the officer-in-charge of a police station decides not to initiate an investigation under clause (b) of the proviso to sub-section (1) of section 176, he shall inform the informant of his decision by notification in the format specified in Form V.
- (2) The notification shall be issued through one of the following methods, -
 - (a) Electronic Means: Email, WhatsApp, SMS, or any other electronic means if contact details are available;
 - (b) Written Means: Registered post or hand delivery, if electronic contact is unavailable;
 - (c) In-Person: Written notification if the informant visits the police station.
- (3) The notification shall include the following details, -
 - (a) brief reason for not initiating the investigation;
 - (b) rights of the informant, including the right to approach the Magistrate;
 - (c) contact details of the police station.

Form I

(see rule 3(1))

**Register to be maintained when the place of cognizable offence is not visited for investigation
under section-176(1)(a) of the BNSS**

1	2	3	4	5	6	7	8	9
Sr. No.	Name, address details of complainant (including mobile no.)	Date, time and place of offense	Date and time of information given to the police station	FIR number and date	Brief details of offense (including section)	Full name, address, age (including mobile no.) of accused	Reason for not visiting the place	Date of informing the court as per Annexure-3 (with outward number)
1								
2								
3								
4								

Form II

(see rule 3(2))

**Register to be maintained in cases where there is no sufficient reason to initiate a police investigation
under section-176(1)(b) of the BNSS**

1	2	3	4	5	6	7	8	9	10	11
Sr. No	Name, address details of complainant (including mobile no.)	Date, time and place of crime	Date and time of information given to police station	FIR number and date	Brief details of offense (including section)	Full name, address, age (including mobile no.) of accused	Reason for not investigating	Date and time when the complainant was informed that the investigation would not proceed.	Details of the Mode of communication through which the complainant was informed	Date of informing the court as per Annexure -4 (with outward number)
1										
2										
3										
4										
5										

Form III

(see rule 4(2))

Fortnightly report to be sent to the Magistrate under section 176(2) of the BNSS when the place of cognizable offence is not visited for investigation under section 176(1)(a) of the BNSS

Police Station: -

Name of the police station in-charge: -

Information period: - from date-..... to date..... Fort nightly information.

Date: -

1	2	3	4	5	6	7	8
S. No.	Name, address details of complainant (including mobile no.)	Date, time and place of offense	Date and time of information given to the police station	FIR number and date	Brief details of offense (including section)	Full name, address, age (including mobile no.) of accused	Reason for not visiting the place
1							
2							

Note: - In addition to the above information, a copy of the Station Diary (Daily Diary Report) for the relevant case, as per section 176(2) of BNSS, must be sent.

Police station in-charge
signature stamp

Form IV

(see rule 4(4))

In cases where there is no sufficient reason to initiate a police investigation under section 176(1)(b) of the BNSS, a fortnightly report to be sent to the Magistrate under section 176(2) of the BNSS

Police station: -

Name of the police station in-charge: -

Information period: - from date-..... to date..... Fort nightly information.

Date: -

1	2	3	4	5	6	7	8	9	10
Sr. No	Name, address details of complainant (including mobile no.)	Date, time and place of crime	Date and time of information given to police station	FIR number and date	Brief details of offence (including section)	Full name, address, age (including mobile no.) of accused	Reason for not investigating	Date and time when the complainant was informed that the investigation would not proceed.	Details of the Mode of communication through which the complainant was informed
1									
2									

Note: In addition to the above information, a copy of the Station Diary (Daily Diary Report) for the relevant case, as per section 176(2) of BNSS, must be sent.

Form V

(see rule 5(1))

Format of notification to complainant**(Through electronically or physically)**

Name _____, Your complaint [Case Number] _____ dated _____
has not been investigated due to _____ [Reason]. You have the legal right to approach the Magistrate
Court _____ to pursue the matter. For further details, contact to the Officer-in-Charge of
_____ Police Station, Contact no _____.

By order and in the name of the Governor of Gujarat,

SHRADDHA PARMAR,

Under Secretary to Government.

